

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TYLER ASHLEY,

Petitioner

v.

BRIAN E. WILLIAMS, et al.,

Respondents

Case No.: 2:20-cv-01031-APG-DJA

ORDER

This is a pro se petition for writ of habeas corpus under 28 U.S.C. § 2254, submitted by petitioner Tyler Ashley. Ashley has also submitted an application to proceed in forma pauperis, but he has not included a completed financial certificate or inmate account statements. Accordingly, this matter has not been properly commenced. 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2.

This action therefore is subject to dismissal without prejudice as improperly commenced. However, it is unclear from the papers presented whether a dismissal without prejudice may materially affect a later analysis of any timeliness issue with regard to a new action.

Accordingly, Ashley has 30 days to either (1) pay the \$5.00 filing fee or (2) submit a financial certificate completed and signed by an authorized officer and an inmate account statement for the past six months. Failure to do so may result in the dismissal of this action without prejudice.

1 I THEREFORE ORDER that **by July 30, 2020**, petitioner Ashley must either pay the
2 \$5.00 filing fee or submit a completed financial certificate and his inmate account statement for
3 the past six months. The Clerk will retain the petition but not file it at this time. If petitioner
4 Ashley fails to comply with this order, this action may be dismissed without prejudice.

5 Dated: June 26, 2020



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7 U.S. District Judge Andrew P. Gordon
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